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LEGISLATIVE HISTORY

Public Law 88-550

H. R. 11846

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INDEX AND SUMMARY OF H. R. 11846

- Mar. 14, 1964 Sen Ellender introduced S. 2634, which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
- June 30, 1964 Rep. May introduced H. R. 11846, which was referred to House Agriculture Comm ttee. Print of bill as introduced.
- Aug. 11, 1964 House committee reported H. R. 11846 without amendment. H. Report 1748. Print of bill and report.
- Aug. 17, 1964 House passed H. R. 11846 without amendment.
- Senate Committee reported S. 2634 without amendment. S. Report 1446. Print of bill and report.
- Aug. 19, 1964 H. R. 11846 was referred to Senate Agriculture and Forestry Committee. Print of bill as referred.
- Aug. 20, 1964 Senate passed H. R. 11846 in lieu of S. 2634.
- Aug. 31, 1964 Approved: Public Law 88-550.

DIGEST OF PUBLIC LAW 88-550

PURCHASE OF PROCESSED FOOD GRAIN FOR DONATION.

Provides that at any time the Commodity Credit Corporation has any grain available for donation to needy persons pursuant to the Agricultural Act of 1949, the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, it may, in lieu of processing all or any part of such grain into human food products, purchase such processed food products in quantities equivalent to the amount of grain to be donated and sell an equivalent amount of grain on the open market.

S. 2634

IN THE SENATE OF THE UNITED STATES

MARCH 14 (legislative day, MARCH 9), 1964

Mr. ELLENDER (by request) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of August 19, 1958 (Public Law 85-683),
4 is amended to read as follows:

5 “That at any time Commodity Credit Corporation has
6 any grain available for donation pursuant to clause (3)
7 or (4) of section 416 of the Agricultural Act of 1949, as
8 amended, section 210 of the Agricultural Act of 1956, or
9 title II of the Agricultural Trade Development and Assist-

1 ance Act, as amended, the Corporation in lieu of processing
2 all or any part of such grain into human food products, may
3 purchase such processed food products in quantities not to
4 exceed the equivalent of the respective grain available for
5 donation on the date of such purchase and donate such
6 processed food products pursuant to clause (3) or (4) of
7 such section 416, and to such section 210, and make such
8 processed food products available to the President pursuant
9 to such title II, and may sell, without regard to the provisions
10 of section 407 of the Agricultural Act of 1949, as amended,
11 a quantity of the grain equivalent to the processed food
12 products so purchased: *Provided*, That no food product pur-
13 chased pursuant to the authority contained herein shall con-
14 stitute less than 50 per centum by weight of the grain from
15 which processed, or contain any additive other than for
16 normal vitamin enrichment, preservative, and bleaching
17 purposes.

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

By Mr. ELLENDER

MARCH 14 (legislative day, MARCH 9), 1964

Read twice and referred to the Committee on
Agriculture and Forestry

88TH CONGRESS
2D SESSION

H. R. 11846

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1964

Mrs. MAY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of August 19, 1958, is amended to read as
4 follows:

5 “That at any time Commodity Credit Corporation has
6 any grain available for donation pursuant to clause (3) or
7 (4) of section 416 of the Agricultural Act of 1949, as
8 amended, section 210 of the Agricultural Act of 1956, or title
9 II of the Agricultural Trade Development and Assistance

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 2 any part of such grain into human food products, may pur-
 3 chase such processed food products in quantities not to ex-
 4 ceed the equivalent of the respective grain available for do-
 5 nation on the date of such purchase and donate such proc-
 6 essed food products pursuant to clause (3) or (4) of such
 7 section 416, and to such section 210, and make such proc-
 8 essed food products available to the President pursuant to
 9 such title II, and may sell, without regard to the provisions
 10 of section 407 of the Agricultural Act of 1949, as amended,
 11 a quantity of the grain equivalent to the processed food
 12 products so purchased: *Provided*, That no food product pur-
 13 chased pursuant to the authority contained herein shall con-
 14 stitute less than 50 per centum by weight of the grain from
 15 which processed, or contain any additive other than for
 16 normal vitamin enrichment, preservative, and bleaching pur-
 17 poses.

Received of the Clerk of the Court

of the State

the sum of

Twenty Dollars

for the purchase of a copy of the

Report of the Board of Education

A BILL

TO PROVIDE FOR THE

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

By Mrs. May

JUNE 30, 1964

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official business Postage and fees paid

U. S. Department of Agriculture

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Aug. 13, 1964

For actions of Aug. 12, 1964

88th-2nd, No. 157

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HIGHLIGHTS: Senate passed land-water conservation fund bill. Senate debated foreign-aid authorization bill. House committee reported Public Law 480 bill. Rep Olsen, Mont., commended sending meat-import bill to conference.

SENATE

1. RECREATION. Passed, 92 to 1, with amendments H. R. 3846, to establish a land and water conservation fund. Senate conferees were appointed. pp. 18490-525

Rejected the following amendments:

By Sen. Allott, 27 to 62, to eliminate the language respecting surplus property sales. pp. 18498-507

By Sen. Ellender, 30 to 63, providing that funds appropriated or allotted pursuant to provisions for the national forest system may be used for acquisition only as hereafter authorized by statute. pp. 18514-8

2. FOREIGN AID. Continued debate on H. R. 11380, the foreign-aid authorization bill (pp. 18528-37, 18555-68). Agreed to an amendment by Sen. McGovern authorizing an additional \$50 million for purchase of domestically produced meats, rice, and other high protein foods for school lunch programs in recipient nations (pp. 18555-7). Rejected an amendment by Sen. Gruening providing for a new title on accelerated public works (pp. 18528-37, 18568).
3. D. C. APPROPRIATION BILL, 1965. Both Houses agreed to the conference report on this bill, H. R. 10199, and acted on items in disagreement. This bill will now be sent to the President. pp. 18525-8, 18576-8
4. LEGISLATIVE APPROPRIATION BILL, 1965. Both Houses agreed to the conference report on this bill, H. R. 10723, and acted on items in disagreement. This bill will now be sent to the President. pp. 18528, 18537-40, 18578-84
5. TOBACCO. The Agriculture and Forestry Committee reported with amendment H. J. Res. 1026, to extend the time by which a lease transferring a tobacco acreage allotment may be filed (S. Rept. 1375). p. 18475
6. STATE, JUSTICE, COMMERCE, JUDICIARY APPROPRIATION BILL, 1965. The Appropriations Committee reported with amendments this bill, H. R. 11134 (S. Rept. 1380). p. 18476

HOUSE

7. PUBLIC LAW 480. The Agriculture Committee submitted a supplemental report on H. R. 12298, to extend the Agricultural Trade Development and Assistance Act of 1954 (H. Rept. 1767, pt. II). pp. 18576, 18669
8. CONTAINERS. Passed as reported H. R. 5673, to prohibit introduction into interstate commerce of any shipping container manufactured in the U. S. from imported steel unless the container is marked so as to indicate the country of origin of the steel. pp. 18596, 18601-9
9. FOOD GRAIN. The Agriculture Committee reported without amendment H. R. 11846, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes (H. Rept. 1748). p. 18390 (Aug. 11).
10. HOUSING. The Rules Committee reported a resolution providing for consideration of H. R. 12175, to extend and amend laws relating to housing, urban renewal, and community facilities. p. 18390 (Aug. 11).
11. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1965 (H. Doc. 338) which include the following items:
 - (1) Agricultural Research Service, \$1, 357,000 for increased meat inspection workload;
 - (2) Forest Service, \$940,000, for repair and restoration of national forest improvements destroyed or damaged by recent floods in Mont. and Ida.; and
 - (3) \$1,000,000 for expenses of the National Commission on Food Marketing established by Public Law 88-354, approved July 3, 1964. p. 18669
12. ELECTRIFICATION. Insisted on its amendments to S. 1007, to guarantee electric consumers of the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority. Conferees were appointed for a further conference. Senate conferees have already been appointed. pp. 18594-5

PROCESSING OF GRAIN FOOD PRODUCTS

AUGUST 11, 1964.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 11846]

The Committee on Agriculture, to whom was referred the bill (H.R. 11846) to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of this bill is to include bulgar, rolled wheat, grits and other grain food products within the provisions of the act of August 19, 1958. This act provides that when the Commodity Credit Corporation has wheat or corn available for donation to needy persons, in lieu of processing such wheat or corn into flour or cornmeal, it may purchase such flour or meal in quantities equivalent to the amount of grain to be donated and sell an equivalent amount of grain on the open market. The authority provided by this act results in a considerable saving to the CCC over the former procedure of actually moving CCC grain into a processing plant and then taking delivery of and distributing the flour or cornmeal milled from that particular grain.

NEED FOR THE LEGISLATION

Since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits, have been found to be acceptable and useful forms of grain products for relief distribution. These products are now being procured under the old process of actually consigning CCC grain to the mill for processing and receiving back the product. As in the case of flour and cornmeal, a substantial

saving may be made by purchasing the product from the processors and selling an equivalent amount of grain on the open market. The bill amends the act of 1958 to make this possible.

COST

There will be no cost to the Government as a result of this bill, but on the contrary, a substantial saving in the handling of CCC grain for donation.

DEPARTMENTAL APPROVAL

Following is the executive communication from the Secretary of Agriculture requesting the enactment of this legislation.

FEBRUARY 28, 1964.

HON. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed for the consideration of the Congress is draft legislation to amend the act of August 19, 1958 (Public Law 85-683), to permit direct purchase of all bulgur, rolled wheat, and other grain products for all programs under which they are donated as presently authorized for flour and cornmeal under all programs and for certain grain products under most programs.

The proposal would permit the CCC, when it deems advisable, to purchase bulgur and rolled wheat for donation purposes, rather than entering into a contract to have bulgur and rolled wheat milled from CCC-owned grain for the donations applicable to programs under section 416, Agriculture Act of 1949, as amended, title II, Public Law 480, and section 210, Agriculture Act of 1956. It would continue the authority of CCC to sell an equivalent amount of grain to offset the purchase of bulgur and rolled wheat, or other products processed from grain.

Subsequent to enactment of Public Law 683, bulgur and rolled wheat were added to the domestic and foreign donation programs. These are products processed from wheat which the Department could not purchase in the market, because the language in Public Law 85-683 is specifically restricted to flour and cornmeal. The proposed legislation is therefore recommended to permit purchase of all grain products processed from wheat or corn for all donation programs. As there is some possibility that other grain products may be added to donation programs this proposed legislation would authorize CCC to purchase other food commodity products such as grits and similar commodities that involve proportionally low processing and packaging cost and constitute 50 percent or more of the original grain.

The enactment of this proposed draft legislation would result in savings in administrative costs since it would eliminate certain competitive cost evaluations and the cost of transporting CCC grain from various storage locations to the mill.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 19, 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That at any time Commodity Credit Corporation has wheat or corn available for donation pursuant to clauses (3) or (4) of section 416 of the Agruciltural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation, in lieu of processing all or any part of such wheat or corn into flour or meal, may purchase flour or meal in quantities not to exceed the equivalent of such wheat or corn so available on the date of purchase and donate such flour and meal pursuant to clauses (3) or (4) of said section 416 and to said section 210 and make such flour or meal available to the President, pursuant to said title II and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of wheat and corn not to exceed that which is equivalent to the quantity of flour and meal so purchased.] That at any time Commodity Credit Corporation has any grain available for donation pursuant to clause (3) or (4) of section 416 of the Agricultural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation, in lieu of processing all or any part of such grain into human food products, may purchase such processed food products in quantities not to exceed the equivalent of the respective grain available for donation on the date of such purchase and donate such processed food products pursuant to clause (3) or (4) of such section 416, and to such section 210, and make such processed food products available to the President pursuant to such title II, and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of the grain equivalent to the processed food products so purchased: Provided, That no food product purchased pursuant to the authority contained herein shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes.



Union Calendar No. 771

88TH CONGRESS
2D SESSION

H. R. 11846

[Report No. 1748]

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1964

Mrs. MAY introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 11, 1964

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

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1 Act, as amended, the Corporation, in lieu of processing all or
2 any part of such grain into human food products, may pur-
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4 ceed the equivalent of the respective grain available for do-
5 nation on the date of such purchase and donate such proc-
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15 which processed, or contain any additive other than for
16 normal vitamin enrichment, preservative, and bleaching pur-
17 poses."

[Report No. 1748]

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

By Mrs. May

JUNE 30, 1964

Referred to the Committee on Agriculture

AUGUST 11, 1964

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For information only;
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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official business Postage and fees paid
U. S. Department of Agriculture

Issued Aug. 18, 1964

For actions of Aug. 17, 1964

88th-2nd, No. 161

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HIGHLIGHTS: Senate committee voted to report Public Law 480 bill. Senate committee reported bill to extend Armed Forces special milk program. Senate committee voted to report Schnittker nomination as member of CCC Board. Senate debated foreign-aid authorization bill. House failed to pass Public Law 480 bill under suspension of the rules. House passed farm labor contractor registration bill. House received conference report on meat-import bill. Rep. Dorn opposed land-water conservation fund bill. House conferees agreed to file report on wilderness bill. Rep. May described consumers interest in beef imports. Rep. Ayres criticized "political implications" of poverty bill.

SENATE

1. NOMINATION. The Agriculture and Forestry Committee voted to report (but did not actually report) the nomination of John A. Schnittker as a member of the CCC Board. p. D704
2. FOREIGN AID. Continued debate on H. R. 11380, the foreign-aid authorization bill. pp. 19187-97, 19203-212, 19227-33, 19239-40, 19246
3. VEHICLES. Passed without amendment H. R. 1341, to require passenger-carrying motor vehicles purchased for use by the Government to meet certain passenger safety standards. This bill will now be sent to the President. pp. 19220-1

4. ADMINISTRATIVE LAW. Concurred in the House amendment to S. 1664, to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the U. S. This bill will now be sent to the President. p. 19221
5. LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1965. The Appropriations Committee reported with amendments this bill, H. R. 10809 (S. Rept. 1460). p. 19170
6. RECREATION. The Interior and Insular Affairs Committee reported without amendment H. R. 8135, to provide for establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Tex. (S. Rept. 1461). p. 19169
7. MINERAL LEASES. The Interior and Insular Affairs Committee reported without amendment S. 2500, to promote the development of phosphate on public lands (S. Rept. 1459). p. 19170

8. THE AGRICULTURE AND FORESTRY COMMITTEE reported without amendment the following bills: ~~H. R. 7588, to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands (S. Rept. 1447); H. R. 10069, to authorize the exchange of lands adjacent to the Lassen National Forest, Calif. (S. Rept. 1448); S. 2634, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes (S. Rept. 1446); H. R. 9747, to extend the special milk programs for the Armed Forces and veterans hospitals (S. Rept. 1454); H. R. 10419, to amend further the Farm Credit Act of 1933 to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax (S. Rept. 1453); and H. R. 4242, to provide for the release and transfer of all right, title, and interest of the U. S. in and to certain tracts of land in Pender County, N. C. (S. Rept. 1452).~~ p. 19170

The following bills were reported with amendment: H. R. 6601, to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo. (S. Rept. 1449); S. 1253, to amend section 8(b) of the Soil Conservation and Domestic Allotment Act regarding election and terms of ASC committeemen (S. Rept. 1451); H. R. 1642, to provide for the sale of the U. S. Animal Quarantine Station, Clifton, N. J., to the city of Clifton and to provide for establishment of a new station (S. Rept. 1450). p. 19170

The Committee ordered reported (but did not actually report) S. 2687, to extend for 2 years Public Law 480, and approved 17 watershed projects. p. D704

9. THE INTERIOR AND INSULAR AFFAIRS COMMITTEE voted to report (but did not actually report) the following bills: S. 2327, increasing the limit on acreage of coal leases that may be held by any person, association, or corporation in a State (amended); S. 883, to amend the Mineral Leasing Act to authorize geothermal steam leases (amended); S. J. Res. 6, to cancel unpaid reimbursable construction costs of the Wind River irrigation project, Wyo., chargeable against certain non-Indian lands; S. 3053, to increase authorizations for construction of the Riverton Federal reclamation project; S. 770, providing for construction and operation of the Savery-Pot Hook Federal reclamation project, Colo. and Wyo. (amended); H. R. 130, providing for payment of compensation, including severance damages, for rights-of-way acquired by the U. S. in connection with reclamation projects begun after January 1, 1961. p. D705

The "Daily Digest" states that the Committee also reconsidered its action of July 31, when it voted to report H. R. 5498, authorizing sale of public lands not needed for Federal program requirements, agreed to amend the bill, and again voted to report (but did not actually report) the bill. p. D705

House

Aug 17, 1964

10. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the Senate would consider today, Tues., the food-for-peace bill, and that later in the week the Senate would take up the Appalachia bill and the conference reports on the bills regarding wilderness, housing, and education, the land-and-water conservation fund, and appropriations for agriculture and military construction. p. 19239

HOUSE

11. PERSONNEL. Passed over without prejudice H. R. 3800, to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel. pp. 19252-3
12. FORESTRY. Passed without amendment, S. 51, to authorize the Secretary of Agriculture to relinquish to Wyo. jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District. This bill will now be sent to the President. p. 19253
13. MINERALS. Passed over without prejudice H. R. 8960, to amend the Mineral Leasing Act of Feb. 20, 1920, to promote the development of coal on the public domain. pp. 19254-5
14. FEED RELIEF. Passed with amendment S. 400, to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds. A similar bill, H. R. 12118, previously passed without amendment, was tabled. pp. 19255-6
15. ALASKA. Passed over without prejudice, S. 49, to provide for the establishment of the Alaska Centennial Commission. p. 19256
16. EXPOSITIONS. Passed with amendment S. J. Res. 162, authorizing the President to call upon the States and foreign countries in the International Exposition for southern Calif. H. J. Res. 952, a similar bill previously passed without amendment was tabled. pp. 19258-9
17. ASC COMMITTEEMEN. Passed with amendments H. R. 9178, to limit terms and provide for staggered terms of ASC committeemen. pp. 19252-6
18. FOOD GRAINS. Passed without amendment H. R. 11846, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes. p. 19262
19. STOCKPILE. Passed without amendment H. R. 12091, to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 9,500,000 pounds of sisal from the national stockpile. p. 19262
20. COMMUNITY DEVELOPMENT. Passed over without prejudice H. R. 5406, to authorize this Department to cooperate with States and other public agencies in planning for changes in the use of agricultural land in rapidly expanding urban areas and in other nonagricultural use areas. p. 19268
21. FARM LOANS; NATIONAL PARKS. Passed over without prejudice, H. R. 8290, to authorize addition of certain FHA-foreclosed lands to the Everglades National Park, Fla. pp. 19269-70
22. FARM LABOR. Passed with amendment S. 524, to provide for the registration of contractors of migrant agricultural workers. A similar bill, H. R. 6242, previously passed under suspension of the rules, was tabled. pp. 19273-7
- Rep. Martin inserted and commended an article, "Bracero Loss Perils State's Billion-Dollar Farm Industry; Nearly All California Could Be Severely Affected Next Year." pp. 19334-5

23. CONTINUING APPROPRIATIONS. Consented that it be in order to consider on Tues. a resolution making continuing appropriations for the month of Sept. p. 19293
24. STATE, JUSTICE, COMMERCE AND JUDICIARY APPROPRIATION BILL, 1965. Both Houses received and agreed to the conference report on this bill, H. R. 11134 (H.Rept. 1817). The House acted on one item in disagreement. This bill will now be sent to the President. pp. 19250-1, 19212-18, 19349
25. MEAT IMPORTS. Received the conference report on H. R. 1839, the meat imports bill (H. Rept. 1824). pp. 19293-5, 19349
26. TARIFFS. Passed under suspension of the rules H. R. 12253, to correct certain errors in the tariff schedules of the U. S. pp. 19295-304
27. WILDLIFE. Received the conference report on S. 793, to provide a permanent basis for the management of the four wildlife refuges in the Klamath Basin, Calif. and Ore. (H. Rept. 1820). pp. 19306, 19349
28. ELECTRIFICATION. Received the conference report on S. 1007, to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority (H.Rept. 1822). pp. 19307-9, 19349
29. RECLAMATION. Passed with amendment S. 1123, to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Ida. H. R. 2337, a similar bill, previously passed under suspension of the rules, was tabled. pp. 19309-12
Passed with amendment S. 26, to authorize the Secretary of the Interior to construct, operate and maintain the Dixie project, Utah. H. R. 3279, a similar bill, previously passed under suspension of the rules, was tabled. pp. 19312-5
Passed under suspension of the rules S. J. Res. 49, authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, N. M. and Tex. pp. 19326-30
30. LOANS. Passed under suspension of the rules H. R. 7073, to amend the Consolidated Farmers Home Administration Act so as to increase the limitation on the amount of loans which may be insured under Sec. 308. pp. 19315-6
31. PUBLIC LAW 480. Rejected, 82 to 71, a motion to suspend the rules and pass H. R. 12298, to extend the Agricultural Trade Development and Assistance Act. pp. 19317-26
32. RECREATION. Rep. Dorn expressed his opposition to that section of the land and water conservation fund bill which would permit the Federal Government to charge a fee for boating, fishing, picnicing in recreation areas. p. 19338
The Interior and Insular Affairs Committee reported with amendment H. R. 6925, to provide for the establishment of the Canyonlands National Park, Utah (H. Rept. 1823). p. 19349
33. LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 8526, to amend the Act of Dec. 22, 1928, relating to the issuance of patents for lands held under color of title, to liberalize the requirements for the conveyance of the mineral estate (H. Rept. 1819). p. 19349
34. WILDERNESS. The "Daily Digest" states that the conferees agreed to file a report on S. 4, to establish a National Wilderness Preservation System. p. D708

PROCESSING OF GRAIN FOOD PRODUCTS

AUGUST 17, 1964.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 2634]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2634) to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

PURPOSE

The purpose of this bill is to include bulgur, rolled wheat, grits and other grain food products within the provisions of the act of August 19, 1958. That act provides that when the Commodity Credit Corporation has wheat or corn available for donation to needy persons, in lieu of processing such wheat or corn into flour or cornmeal, it may purchase such flour or meal in quantities equivalent to the amount of grain to be donated and sell an equivalent amount of grain on the open market. The authority provided by this act results in a considerable saving to the CCC over the former procedure of actually moving CCC grain into a processing plant and then taking delivery of and distributing the flour or cornmeal milled from that particular grain.

NEED FOR THE LEGISLATION

Since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits, have been found to be acceptable and useful forms of grain products for relief distribution. These products are now being procured under the old process of actually consigning CCC grain to the mill for processing and receiving back the product. As in the case of flour and cornmeal, a substantial saving may be made by purchasing the product from the processors

and selling an equivalent amount of grain on the open market. The bill amends the act of 1958 to make this possible.

COST

There will be no cost to the Government as a result of this bill, but on the contrary, a substantial saving in the handling of CCC grain for donation.

REQUESTED BY DEPARTMENT OF AGRICULTURE

Following is the executive communication for the Department of Agriculture requesting the enactment of this legislation.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 28, 1964.

HON. CARL HAYDEN,
President Pro Tempore,
U.S. Senate.

DEAR SENATOR HAYDEN: Enclosed for the consideration of the Congress is draft legislation to amend the act of August 19, 1958 (Public Law 85-683), to permit direct purchase of all bulgur, rolled wheat, and other grain products for all programs under which they are donated as presently authorized for flour and cornmeal under all programs and for certain grain products under most programs.

The proposal would permit the CCC, when it deems advisable, to purchase bulgur and rolled wheat for donation purposes, rather than entering into a contract to have bulgur and rolled wheat milled from CCC owned grain for the donations applicable to programs under section 416, Agriculture Act of 1949, as amended, title II, Public Law 480 and section 210, Agriculture Act of 1956. It would continue the authority of CCC to sell an equivalent amount of grain to offset the purchase of bulgur and rolled wheat, or other products processed from grain.

Subsequent to enactment of Public Law 683, bulgur and rolled wheat were added to the domestic and foreign donation programs. These are products processed from wheat which the Department could not purchase in the market because the language in Public Law 85-683 is specifically restricted to flour and cornmeal. The proposed legislation is therefore recommended to permit purchase of all grain products processed from wheat or corn for all donation programs. As there is some possibility that other grain products may be added to donation programs this proposed legislation would authorize CCC to purchase other food commodity products such as grits and similar commodities that involve proportionally low processing and packaging cost and constitute 50 percent or more of the original grain.

The enactment of this proposed draft legislation would result in savings in administrative costs since it would eliminate certain competitive cost evaluations, and the cost of transporting CCC grain from various storage locations to the mill.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 19, 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That at any time Commodity Credit Corporation has wheat or corn available for donation pursuant to clauses (3) or (4) of section 416 of the Agricultural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation, in lieu of processing all or any part of such wheat or corn into flour or meal, may purchase flour or meal in quantities not to exceed the equivalent of such wheat or corn so available on the date of purchase and donate such flour and meal pursuant to clauses (3) or (4) of said section 416 and to said section 210 and make such flour or meal available to the President, pursuant to said title II and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of wheat and corn not to exceed that which is equivalent to the quantity of flour and meal so purchased.] That at any time Commodity Credit Corporation has any grain available for donation pursuant to clause (3) or (4) of section 416 of the Agricultural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation in lieu of processing all or any part of such grain into human food products, may purchase such processed food products in quantities not to exceed the equivalent of the respective grain available for donation on the date of such purchase and donate such processed food products pursuant to clause (3) or (4) of such section 416, and to such section 210, and make such processed food products available to the President pursuant to such title II, and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of the grain equivalent to the processed food products so purchased: Provided, That no food product purchased pursuant to the authority contained herein shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes.



AND OF THE
THEIR PROCEEDINGS
FROM THE YEAR 1660 TO 1703

IN TWO VOLUMES.
THE FIRST VOLUME CONTAINS
THE HISTORY OF THE SOCIETY
FROM THE YEAR 1660 TO 1703
THE SECOND VOLUME CONTAINS
THE HISTORY OF THE SOCIETY
FROM THE YEAR 1703 TO 1742

BY
JOHN DE LAET, ESQ.
OF THE SOCIETY OF LONDON.
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FROM THE YEAR 1703 TO 1742

LONDON:
PRINTED BY J. BARNARD, ST. MARTIN'S LANE.
1742.

Calendar No. 1381

88TH CONGRESS
2D SESSION

S. 2634

[Report No. 1446]

IN THE SENATE OF THE UNITED STATES

MARCH 14 (legislative day, MARCH 9), 1964

Mr. ELLENDER (by request) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

AUGUST 17, 1964

Reported by Mr. JOHNSTON, without amendment

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of August 19, 1958 (Public Law 85-683),
4 is amended to read as follows:

5 “That at any time Commodity Credit Corporation has
6 any grain available for donation pursuant to clause (3)
7 or (4) of section 416 of the Agricultural Act of 1949, as
8 amended, section 210 of the Agricultural Act of 1956, or
9 title II of the Agricultural Trade Development and Assist-

1 ance Act, as amended, the Corporation in lieu of processing
2 all or any part of such grain into human food products, may
3 purchase such processed food products in quantities not to
4 exceed the equivalent of the respective grain available for
5 donation on the date of such purchase and donate such
6 processed food products pursuant to clause (3) or (4) of
7 such section 416, and to such section 210, and make such
8 processed food products available to the President pursuant
9 to such title II, and may sell, without regard to the provisions
10 of section 407 of the Agricultural Act of 1949, as amended,
11 a quantity of the grain equivalent to the processed food
12 products so purchased: *Provided*, That no food product pur-
13 chased pursuant to the authority contained herein shall con-
14 stitute less than 50 per centum by weight of the grain from
15 which processed, or contain any additive other than for
16 normal vitamin enrichment, preservative, and bleaching
17 purposes."

88TH CONGRESS
2D SESSION

S. 2634

[Report No. 1446]

A BILL

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

By Mr. ELLENDER

MARCH 14 (legislative day, MARCH 9), 1964

Read twice and referred to the Committee on
Agriculture and Forestry

AUGUST 17, 1964

Reported without amendment

proximately \$163,000. The property to be acquired by the Navy has an appraised market value of approximately the same amount.

Mr. GROSS. Mr. Speaker, let me ask the gentleman this question: Does he not think that in the absence of authority on the part of the State of California to deliver this land there ought to be some kind of a saving clause in the bill based upon the terms and conditions of the bill? I cannot find anything like that in the report.

Mr. COHELAN. I may say to the gentleman that on second thought, as I reflect on his question as to the legislative authorization for the conveyance of this property, I am quite certain the State Highway Commission which is involved in this transaction has that authority.

Mr. GROSS. Has the authority as of the present time?

Mr. COHELAN. Yes.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provisions of law, the Secretary of the Navy, or his designee, is authorized to convey to the State of California, subject to the terms and conditions hereinafter stated, and to such other terms and conditions as the Secretary of the Navy, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to the land located in the county of Monterey, State of California, described substantially as follows:

PARCEL 1

For freeway purposes that parcel of land in the city of Monterey, county of Monterey, State of California, described as follows: Beginning at a brass cap monument designated M-145, which said monument is the southwesterly terminus of course (38) described in the deed to the State of California, recorded December 12, 1960, in volume 2105 of official records, at page 396, records of said county;

thence (a) along the westerly line of the United States Navy property also being course (39) in last said deed, south 06 degrees 36 minutes 03 seconds west, 15.28 feet;

thence (b) north 38 degrees 48 minutes 10 seconds east, 235.86 feet;

thence (c) north 28 degrees 11 minutes 44 seconds east, 546.05 feet;

thence (d) north 20 degrees 05 minutes 51 seconds east, 66.49 feet to a point on the westerly line of the United States Navy property, which last said line is also the above said course (38);

thence (e) along said course (38) south 30 degrees 56 minutes 03 seconds west, 830.46 feet to the point of beginning; subject to easements and rights-of-way for pipelines as granted by Pacific Improvement Company to the Monterey County Waterworks, by deed dated August 27, 1907, and recorded September 3, 1907, in volume 98 of deeds at page 154, Monterey County records.

Together with the release and relinquishment of all abutter's rights of access, appurtenant to the Navy's remaining property, in and to said freeway. Containing 0.45 of an acre, more or less.

Bearings and distances used herein are based on the California coordinate system, zone 4; multiply distances called by 1.0000592 to obtain ground level distances.

PARCEL 2

For highway purposes, that part of the portion of real property in the city of Monterey, county of Monterey, State of California, conveyed to the United States of America by deed recorded June 15, 1948, in volume 1068 of official records at page 1, records of said county, described as follows: Beginning at monument M-124 as said monument is delineated on the map filed February 13, 1953, in volume 4 of surveys, at page 105, records of said county;

thence (aa) along a line connecting said monument M-124, with monument M-151, as delineated on said map, south 11 degrees 12 minutes 09 seconds east, 65.42 feet;

thence (bb), south 36 degrees 00 minutes 14 seconds east, 58.12 feet;

thence (cc), north 62 degrees 57 minutes 51 seconds east, 8.79 feet to a point on the westerly line of Aguajito Road as shown on last said map;

thence (dd) along the said westerly line north 27 degrees 02 minutes 09 seconds west, 120.34 feet to the point of beginning; subject to easements and rights-of-way for pipelines as granted by Pacific Improvement Company to the Monterey County Water Works, by deed dated August 27, 1907, and recorded September 3, 1907, in volume 98 of deeds at page 154, Monterey County records. Containing 0.03 of an acre, more or less.

Bearings and distances used herein are based on the California coordinate system, zone 4; multiply distances called by 1.0000592 to obtain ground level distances.

PARCEL 3

For a freeway and adjacent frontage road that part of the portion of land in the city of Monterey, county of Monterey, State of California, conveyed to the United States of America by deed recorded June 15, 1948, in volume 1068 of official records, at page 1, records of said county, described as follows: Beginning at monument M-103 on the northeasterly line of the existing State highway, "Road V-Mon-117-Mon, A," as shown on the map recorded May 27, 1957, in volume 5 of surveys, at page 110, records of said county;

thence (1A) northeasterly along the property line of said portion conveyed to the United States of America to a concrete monument with a disk stamped "R.E. 707" set at an angle point in the property line of the Monterey Peninsula Airport as shown on said map recorded at page 110;

thence (2A) along course (10) under parcels III and IV in said deed to the United States of America, north 12 degrees 33 minutes 55 seconds west, 189.49 feet;

thence (3A) tangent to a line bearing north 74 degrees 43 minutes 41 seconds west, along a curve to the left with a radius of 642.69 feet through an angle of 6 degrees 10 minutes 12 seconds for an arc length of 69.21 feet;

thence (4A), north 75 degrees 39 minutes 00 seconds west, 221.21 feet;

thence (5A), along a tangent curve to the right with a radius of 400 feet through an angle of 57 degrees 41 minutes 19 seconds for an arc length of 402.74 feet;

thence (6A), north 14 degrees 24 minutes 42 seconds west, 163.72 feet;

thence (7A), north 27 degrees 30 minutes 56 seconds west, to a point on course (14) under said parcels III and IV in said deed to the United States of America;

thence (8A), westerly along said course (14) to said northeasterly line of said existing State highway; thence (9A), southeasterly along said northeasterly line to the point of beginning; subject to covenants, conditions, restrictions, easements, and reservations of record, if any.

Together with the release and relinquishment of all abutter's rights to access including access rights appurtenant to the Navy's remaining property in and into said freeway, provided however, that such remaining property shall abut upon and have access to said

frontage road which will be connected to the freeway only at such points as may be established by public authority. Containing 6.47 acres, more or less.

Bearings and distances used herein are based on the California coordinate system, zone 4; multiply distances called by 1.0000592 to obtain ground level distances.

Sec. 2. In consideration of the conveyance by the United States of the aforesaid lands, the State of California shall convey to the United States lands located in the County of Monterey, State of California, described substantially as follows:

PARCEL 4

That parcel of land in the City of Monterey, County of Monterey, State of California, described as follows: Beginning at the southwesterly corner of that certain 94.984-acre tract conveyed by David Jacks to the Pacific Improvement Company, by deed dated May 11, 1880, and recorded in volume 1 of deeds at page 5, records of said county; thence (1B) northerly along the westerly line of said 94.984-acre tract to the northwesterly corner thereof, said corner being marked on the ground by a monument designated M-92; thence (2B) south 01 degree 20 minutes 04 seconds east, 53.25 feet;

thence (3B), south 02 degrees 31 minutes 54 seconds west, 648.36 feet;

thence (4B), south 03 degrees 49 minutes 15 seconds east, 308.63 feet;

thence (5B), south 18 degrees 11 minutes 15 seconds east, 341.40 feet;

thence (6B), south 27 degrees 30 minutes 56 seconds east, to the southerly line of the parcel of land conveyed to the State of California by final order of condemnation, recorded April 10, 1962 in reel 41 of official records, at page 251, records of said County;

thence (7B), easterly along last said line to the point of beginning; subject to a right of way from T. A. Work to Pacific Gas and Electric Company by instrument dated September 28, 1928, recorded October 3, 1929, in book 209 of official records at page 407, records of Monterey County, subject also to covenants, restrictions, easements, and reservations of record, if any. Containing 5.13 acres, more or less.

Excepting and reserving unto the State of California any and all rights of ingress to or egress from the real property herein conveyed to or from the freeway lying westerly of said real property; provided, however, that said real property shall abut upon and have access to a frontage road which will be connected with said freeway only at such points as may be established by public authority.

Bearings and distances used herein are based on the California coordinate system, zone 4; multiply distances called by 1.0000592 to obtain ground level distances.

PARCEL 5

That portion of lot 1 in block 1, city of Monterey, county of Monterey, State of California, as said lot and block are shown on the map of "Tract No. 370 Del Monte Research Park" filed in volume 7, of cities and towns, sheet 2 of 5 at page 19, records of said county, described as follows: Beginning at a 1½-inch iron pipe with copper disc stamped "L.S. 2975," said point marking the intersection of the southerly line of the Monterey Peninsula Airport district property with the northeasterly line of Garden Road, as said two lines are delineated on said map recorded in volume 7;

thence (1), along said northeasterly line, tangent to a line bearing south 42 degrees 42 minutes 45 seconds east, along a curve to the left with a radius of 809.95 feet, through an angle of 14 degrees 45 minutes 30 seconds for an arc length of 208.63 feet;

thence (2) north 77 degrees 26 minutes 05 seconds east, 225.00 feet;

thence (3), north 02 degrees 28 minutes 53 seconds west, 167.59 feet to a point on said southerly line of the Monterey Peninsula Airport;

thence (4), along last said southerly line south 77 degrees 26 minutes 05 seconds west, 381.07 feet to the point of beginning; subject to covenants, conditions, restrictions, easements and reservations of record, if any. Containing 1.17 acres, more or less.

Bearings and distances used herein are based on the California coordinate system, zone 4; multiply distances called by 1.0000592 to obtain ground level distances.

Sec. 3. The Secretary of the Navy, or his designee, is also authorized to accept from the State of California, or any local agency or subdivision thereof, such appropriate interests in other land as may be considered necessary for protection of the interests of the United States in connection with the exchange.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROCESSING OF GRAIN FOOD PRODUCTS

The Clerk called the bill (H.R. 11846) to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 19, 1958, is amended to read as follows:

"That at any time Commodity Credit Corporation has any grain available for donation pursuant to clause (3) or (4) of section 416 of the Agricultural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation, in lieu of processing all or any part of such grain into human food products, may purchase such processed food products in quantities not to exceed the equivalent of the respective grain available for donation on the date of such purchase and donate such processed food products pursuant to clause (3) or (4) of such section 416, and to such section 210, and make such processed food products available to the President pursuant to such title II, and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of the grain equivalent to the processed food products so purchased: *Provided*, That no food product purchased pursuant to the authority contained herein shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF ANTIMONY FROM NATIONAL STOCKPILE

The Clerk called the bill (H.R. 11913) to authorize the sale, without regard to the 6-month waiting period prescribed, of antimony proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately seven million pounds of antimony now held in the national stockpile. Such dispositions may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition, but in such disposition the Administrator of General Services shall comply with the other provisions of such section 3, particularly those which require that the plan and date of disposition shall be fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

With the following committee amendment:

Strike everything after the enacting clause and substitute the following: "That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately five thousand short tons of antimony now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). Such dispositions may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided*, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the disposal, without regard to the prescribed six-month waiting period, of antimony from the national stockpile and the supplemental stockpile."

A motion to reconsider was laid on the table.

DISPOSAL OF SISAL FROM THE NATIONAL STOCKPILE

The Clerk called the bill (H.R. 12091) to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 9,500,000 pounds of sisal from the national stockpile.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, reserving the right to object, I should like to direct a question to the gentleman in charge of this bill. Can he tell us the present market price of sisal? The report indicates that the sisal should be sold, for one reason, because of the high market price at the present time. There is no mention of the price of sisal today.

Mr. PHILBIN. The proposal is to sell the sisal, of which we have a surplus, at

the market price, and to eliminate all sisal from the national stockpile because it has been determined that it is no longer needed in the stockpile. The average current price of the sisal in the stockpile is 18¾ cents per pound. Naturally we would receive the current price. We would expect the Government to receive the Government market price.

Mr. CONTE. What was the cost of the sisal when we bought it?

Mr. PHILBIN. The sisal actually cost the Government 13½ cents. We expect to receive 18¾ cents, so the Government should make some profit out of it.

Mr. Speaker, I appreciate the gentleman's inquiry.

Mr. CONTE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately nine million five hundred thousand pounds of sisal now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF PORTIONS OF 10 MATERIALS

The Clerk called House Concurrent Resolution 320, to express the sense of the Congress on disposal from the national stockpile of certain materials.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that this concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REVENUES FROM NATIONAL WILDLIFE REFUGE SYSTEM

The Clerk called the bill (S. 1363) to increase the participation by counties in revenues from the national wildlife refuge system by amending the act of June 15, 1935, relating to such participation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Act of June 15, 1935, as amended (49 Stat. 378, 383; 16 U.S.C. 715a), relating to the participation by the counties

88TH CONGRESS
2D SESSION

H. R. 11846

IN THE SENATE OF THE UNITED STATES

AUGUST 19, 1964

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of August 19, 1958, is amended to read as
4 follows:

5 “That at any time Commodity Credit Corporation has
6 any grain available for donation pursuant to clause (3) or
7 (4) of section 416 of the Agricultural Act of 1949, as
8 amended, section 210 of the Agricultural Act of 1956, or title
9 II of the Agricultural Trade Development and Assistance

1 Act, as amended, the Corporation, in lieu of processing all or
2 any part of such grain into human food products, may pur-
3 chase such processed food products in quantities not to ex-
4 ceed the equivalent of the respective grain available for
5 donation on the date of such purchase and donate such proc-
6 essed food products pursuant to clause (3) or (4) of such
7 section 416, and to such section 210, and make such proc-
8 essed food products available to the President pursuant to
9 such title II, and may sell, without regard to the provisions
10 of section 407 of the Agricultural Act of 1949, as amended,
11 a quantity of the grain equivalent to the processed food
12 products so purchased: *Provided*, That no food product pur-
13 chased pursuant to the authority contained herein shall con-
14 stitute less than 50 per centum by weight of the grain from
15 which processed, or contain any additive other than for
16 normal vitamin enrichment, preservative, and bleaching pur-
17 poses."

Passed the House of Representatives August 17, 1964.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

August 19, 1964

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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88th-2nd, No. 164



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HIGHLIGHTS: Both Houses agreed to conference report on agricultural appropriation bill. House Rules Committee cleared Appalachia and Public Law 480 bills. Both Houses agreed to conference report on wilderness bill. House subcommittee voted to report water resources bill. Senate passed food grain bill. Sens. Hruska, Proxmire and Holland discussed pesticides problem. Rep. Cooley commended and inserted Secretary Freeman's statement to the Democratic platform committee on rural America. Rep. Beermann criticized wheat program and inserted article "which clearly demonstrates complete failure of the administration's wheat program."

SENATE - continued from Aug. 19

1. MINERAL LEASING. Passed as reported S. 2327, to amend section 27 of the Mineral Leasing Act of 1920 to promote the development of coal on the public domain.
pp. 19896-7
2. FISHERIES. Passed as reported S. J. Res. 174, to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the U. S., its territories and possessions.
pp. 19897-9

3. WEATHER BUREAU. Passed without amendment S. 2315, to authorize the Weather Bureau to make appropriate reimbursement between the respective appropriations available to the Bureau. p. 19899
4. PERSONNEL. Passed without amendment S. 1974, to amend the Federal Employees' Group Life Insurance Act with regard to filing designation of beneficiary. pp. 19899-900
5. CENSUS. Passed without amendment H. R. 3545, to amend section 131 of title 13, U. S. C., so as to provide for taking of the economic censuses one year earlier starting in 1968. This bill will now be sent to the President. p. 19900

SENATE - AUG. 20

6. AGRICULTURE APPROPRIATION BILL, 1965. Both Houses agreed to the conference report on this bill, H. R. 11202. (See Digest No. 163 for details of the conference report). This bill will now be sent to the President. pp. 19959-65, 19979-88
7. WILDERNESS. Both Houses agreed to the conference report on S. 4, to establish National Wilderness System. This bill will now be sent to the President. pp. 19966-8, 19988-91
8. FOOD GRAINS. Passed without amendment H. R. 11846, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes. Action on S. 2634, a similar bill, was indefinitely postponed. H. R. 11846 will now be sent to the President. pp. 19954-5
9. FOREIGN AID. Continued debate on H. R. 11380, the foreign-aid authorization bill. pp. 19940-52, 19955-7, 19968-72
10. IRRIGATION. Received a letter from Interior transmitting a loan application from the Bryon-Bethany Irrigation District, Byron, Calif. under the Small Reclamation Projects Act of 1956, to Interior and Insular Affairs Committee. p. 19905
Passed as reported S. J. Res. 6, to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyo., chargeable against certain non-Indian lands. p. 19919
11. MINERAL LEASING. Reconsidered and indefinitely postponed action on S. 2327, to amend section 27 of the Mineral Leasing Act of 1920, to promote the development of coal on the public domain, and passed without amendment H. R. 8960, a similar bill. This bill will now be sent to the President. p. 19920
12. CONSERVATION. Sen. Javits inserted an editorial pointing out what the Congress still must do to be known as the "conservation Congress." p. 19925
13. PESTICIDES. Sen. Hruska conceded that dangers exist in the use of pesticides, but also pointed out the "dangers in a cessation of their use." pp. 19927-30
Sen. Proxmire inserted an article and an editorial outlining the problems of milk producers resulting from pesticide residues and Sens. Proxmire and Holland discussed appropriations for pesticide research and indemnification of dairy farmers. pp. 19932-4
14. ELECTRIFICATION. Agreed to the conference report on S. 1007, to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority. This bill will now be sent to the President. pp. 19934-8

88TH CONGRESS
2D SESSION

H. R. 11846

IN THE SENATE OF THE UNITED STATES

AUGUST 19, 1964

Read twice and referred to the Committee on Agriculture and Forestry

AUGUST 20, 1964

The Committee on Agriculture and Forestry discharged from further consideration; considered, read the third time, and passed

AN ACT

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled;*
- 3 That the Act of August 19, 1958, is amended to read as
- 4 follows:
- 5 "That at any time Commodity Credit Corporation has
- 6 any grain available for donation pursuant to clause (3) or
- 7 (4) of section 416 of the Agricultural Act of 1949, as
- 8 amended, section 210 of the Agricultural Act of 1956, or title
- 9 II of the Agricultural Trade Development and Assistance

1 Act, as amended, the Corporation, in lieu of processing all or
2 any part of such grain into human food products, may pur-
3 chase such processed food products in quantities not to ex-
4 ceed the equivalent of the respective grain available for
5 donation on the date of such purchase and donate such proc-
6 essed food products pursuant to clause (3) or (4) of such
7 section 416, and to such section 210, and make such proc-
8 essed food products available to the President pursuant to
9 such title II, and may sell, without regard to the provisions
10 of section 407 of the Agricultural Act of 1949, as amended,
11 a quantity of the grain equivalent to the processed food
12 products so purchased: *Provided*, That no food product pur-
13 chased pursuant to the authority contained herein shall con-
14 stitute less than 50 per centum by weight of the grain from
15 which processed, or contain any additive other than for
16 normal vitamin enrichment, preservative, and bleaching
17 purposes."

Passed the House of Representatives August 17, 1964.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

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EXHIBIT 1.—Military construction appropriation bill, 1965—Continued

Item	1964 appropriation	1965 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Family housing, Air Force:									
Construction	\$61,027,000	\$88,635,000	\$64,013,500	\$52,873,000	\$57,589,000	—\$3,438,000	—\$31,046,000	—\$6,424,500	+\$4,716,000
Operation, maintenance, and debt payment	193,514,000	198,859,000	198,859,000	198,859,000	198,859,000	+5,345,000			
Family housing, Defense agencies:									
Construction	50,000	981,000	981,000	981,000	981,000	+931,000			
Operation, maintenance, and debt payment	2,546,000	2,511,000	2,511,000	2,511,000	2,511,000	—35,000			
Total, family housing	637,406,000	711,000,000	650,358,500	617,651,000	631,151,000	—6,255,000	—79,849,000	—19,207,500	+13,500,000
Total	1,585,880,000	1,879,000,000	1,599,014,500	1,582,969,000	1,570,968,000	—14,912,000	—308,037,000	—28,046,500	—12,001,000

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. There was a \$510,000 item, I believe, for the Malmstrom Air Force Base. Could the Senator from Mississippi, the chairman of the committee which handled the military construction appropriation bill, tell me if it was retained in conference?

Mr. STENNIS. Yes. I am glad to report to the Senator from Montana, who was helpful himself in having the bill presented, that this item is included in the final bill, and the money is being provided. It is somewhat less than the sum originally planned—\$450,000 is included in the bill for that item, which it was found would supply the needs by reducing somewhat the ground planned, but it serves the same purpose.

Mr. MANSFIELD. I thank the Senator for that encouraging statement. I understand it is somewhere in the vicinity of \$450,000.

Mr. STENNIS. The Senator is correct.

Mr. MANSFIELD. The distinguished Senator knows that there is a certain amount of money included for the Minuteman missile installation to be built in the vicinity of the Malmstrom Air Force Base—approximately \$60 million. This money is to build an additional wing of Minuteman missiles to round out the 150 Minuteman missile complex now in existence, thereby raising the complex as a whole to 200. Is that money, in the amount of \$60 million, in this appropriation for that purpose?

Mr. STENNIS. The Senator is correct. That amount is very definitely included in the appropriation bill. It is enough, I am sure, to construct this highly important and, to me, really much-needed missile installation.

Mr. MANSFIELD. I thank the Senator.

Mr. STENNIS. I thank the Senator for his interest in that item, as well as the first item which he mentioned. I believe that the development fund of the missile program including the Minuteman—and this will be a Minuteman base—is timely. We are moving more and more into that kind of missile and away from using liquid fuel missiles.

Mr. President, this report was concurred in by all the conferees on both sides of the aisle.

Mr. PROXMIRE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. PROXMIRE. The Senator from Mississippi has performed what I believe to be one of the really outstanding tasks in Congress on this appropriation bill.

Mr. STENNIS. I thank the Senator for his comments.

Mr. PROXMIRE. I know the Senator has worked many hours and weeks. He has patiently heard witnesses, has gone into the greatest detail, and has been extremely meticulous; and as a result, I believe, of his expertness, his fairness, and his great experience in this field, we were able to come forward with an appropriation bill which I believe not only the military can applaud, because it gives them what they need, but also the taxpayers can applaud with great enthusiasm.

This is an appropriation bill in cost far below what the administration recommended. We all recognize that we have an expert administration which is conscious of costs in the defense area; and yet the Senator from Mississippi was able to save taxpayers millions of dollars and was able to go well under the House figure. I believe that the chairman of the subcommittee is a model for all of us to emulate.

I pay this tribute to the Senator from Mississippi because I feel so strongly about it. I am a new member of the Appropriations Committee, and I would like him to know how greatly impressed I have been with the very fine example he has set for all of us.

Mr. STENNIS. I thank the Senator for his kind and generous words. I thank him on behalf of each member of the subcommittee. Credit goes to all alike. We worked together on both sides of the aisle. We worked out the problems together. The chairman does no more than any of the other members.

There was a reduction from the budget request originally in the authorization of around \$300 million. We feel that that was done without taking any bone or muscle out of the military program. We did not leave out anything that we thought was near the line of safety. I believe that it is a rather firm and hard bill. A few projects were merely deferred until next year, when they will take their place in the line of priority.

The House subcommittee has done a very fine job in connection with the bill. The chairman of the subcommittee for many years has been Hon. HARRY SHEPARD, Representative from the 33d district of California. He is retiring this year; he is not offering himself for reelection. As

he leaves, he will leave a record hard to equal, and it will not be exceeded. As I said the other day when we closed our conference, through his fine knowledge of construction and the engineering profession, as well as military matters, he literally saved hundreds of millions of dollars over the course of the years, and has helped to build a fine, strong, and effective military organization.

Mr. KEATING. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. KEATING. The Senator will remember the amendment which I offered, which was taken to conference. I know that it has been eliminated. I should like to have a review by the distinguished Senator.

Mr. STENNIS. I am glad to give the Senator a report. I comment him again for his vigilance and his assistance in the matter which affects his State.

The attitude of the conference on that matter was that it was considered and settled in the authorization bill at the conference, and we could not get anything done in this bill. We are not averse to the Senator's position as a general proposition. I believe that I can assure him his State will have as much protection as any other State. I do not believe that anything particularly adverse is going to happen because of the situation in his State. We all have problems relating to these bases, some of which are totally eliminated, and some of which are transferred; but we could not get any legislation that would carry out the Senator's wishes.

Mr. KEATING. The amendment was directed to the use of Federal funds for the construction of new facilities when there were existing facilities which could do the same job. It seemed reasonable to say that the taxpayers' money should not be spent in that way. I hope that at least we can have the assurance of the subcommittee which the Senator so ably heads that it will keep an eye on this situation. I hope that when the services come in with requests for funds for the construction of a new facility, the subcommittee will be sure that a thorough canvass is made of existing facilities—not merely in New York—which can do the job which they are seeking to do by the new building. I hope that now the subcommittee will be unusually alert to the possibilities of saving additional funds for the taxpayers.

Mr. STENNIS. The Senator from New York [Mr. KEATING] can have that dou-

ble assurance. He can also state that he has further alerted us to the situation on the items of money that are left out of the bill for the very reasons that the Senator from New York has given. The items were left out where there has not been a sufficient study to justify the expenditure of this new money. They were deleted from the bill. We are alert to those matters.

Mr. KEATING. I am grateful to the committee for their consideration of the matter. I am sure the Senator was conscientiously endeavoring to support the position of the Senate. His assurances that the subcommittee will follow this matter very carefully in the future is reassuring.

Mr. STENNIS. We want to be helpful to the Senator in his position, as well as to save money where we can.

Mr. KEATING. I thank the Senator.

Mr. JAVITS. Will the Senator yield?

Mr. STENNIS. I yield.

Mr. JAVITS. I am sure that this matter has been well covered in the colloquy concerning the amendment of Senator KEATING, in which I had the privilege of joining.

As I understand it, the committee purports to deal directly with the substance of the matter that is involved.

Mr. STENNIS. That is correct.

Mr. JAVITS. I, too, wish to express my appreciation. We all live in this same house all the time. We should be vigilant, as the Senate is expected to be. I am very grateful to the Senator from Mississippi and to the committee for the statement that they will keep a close rein on this money.

Mr. STENNIS. We intend to. I thank the Senator for his interest in the measure, and his fine attitude. It is not something that can be put into strict law, as the Medes and the Persians of old did.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11369, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 11369) entitled "An Act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes", and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$300,393,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$332,101,000".

Mr. STENNIS. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 1 and 3.

The motion was agreed to.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. CLARK. Mr. President, somewhat earlier when I yielded to the Senator from Mississippi so that he might present a conference report, the Senator from Oklahoma [Mr. MONRONEY] had graciously agreed that we might engage in a colloquy with reference to some of the aspects of apportionment in Oklahoma.

There are other conference reports coming up. I have an engagement out of the city. The Senator from Oklahoma [Mr. MONRONEY] has another engagement. Neither is running out on the other. We shall return to this subject when the Senate convenes after the Democratic Convention.

I yield the floor.

THE MONTANA CENTENNIAL BAND

Mr. MANSFIELD. Mr. President, before we turn to the next order of business, I should like to make a few remarks which I hope will not be considered a violation of the rules of the Senate. I will not seek to achieve undue recognition for any one individual or group.

This is a proud day for the Treasure State. The State of Montana has, in the Nation's Capital, one of the best bands that it has ever been my pleasure to listen to and watch in Pasadena, Calif., in various parts of the State of Montana, and here in Washington, D.C. This band is called the Montana Centennial Band. The band is named in recognition of the fact that we are celebrating the 100th anniversary of Montana becoming a territory.

The band has already performed in the rotunda of the Old Senate Office Building. It will perform this evening at 7 o'clock on the steps of the Senate wing of the Capitol.

This extraordinary group, brought together with little preparation and no consideration as to where they come from, has really turned out to be the shining light in the celebration of Montana's anniversary.

These youngsters, both boys and girls, come from the mining camps and the big cities, such as Great Falls and Billings—each city with a population of approximately 55,000. They come from the ranches, and they come from the small towns. They have contributed greatly to publicizing the State of Montana and what it stands for. By their attitude and deportment in general, they have brought great credit upon our State and our country as well.

I wish to pay special commendation to the directors of the band, James Tibbs, of Missoula County High School, and Roger Heath, of Great Falls High School. The band includes, as majorettes, Paulette Forsythe, of Great

Falls, State champion; Gwen Loyd, of Great Falls; and Sherry Humber, of Butte. This group is extremely talented; intellectually talented as well as musically.

I am delighted as the Senator from the State of Montana, and as the majority leader of this body, to pay my respects to them publicly and to tell them personally how much I have enjoyed what they have done for our State.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I believe it is highly fitting and proper that the majority leader should call attention to this great musical organization from Montana. I am delighted on my own score, particularly in view of the fact that long ago when I was in grade school and high school, we knew nothing about school bands. In the first place, I do not believe that anyone could afford the instruments in those days. Second, there were no instructors that I know of. Third, one had to work so much of the time to stay in school that he did not have time to tootle an instrument.

That all changed when I had a youngster of my own. I have forgotten whether she played a flute or a piccolo. I vowed that when I got around to it and was not incumbered with public duty I would find a piccolo instructor and start playing the piccolo. Even at my age, there is something entrancing and stimulating about music. The whole country is filled with school bands. It is a wonderful thing in our generation. It gives them the opportunity to learn music. It makes them better citizens. I have an idea that if we find a youngster who is playing a slide trombone, a piccolo, or a French horn, we do not have to bother too much about the question of juvenile delinquency. So, hail to Montana's Centennial Band, and may they wave long and proudly.

Mr. MANSFIELD. Mr. President, there is nothing I can add to that, because everything has now been said. I thank the distinguished minority leader for the kind words about a band that, I repeat, in my opinion, is one of the outstanding musical organizations in the whole Nation.

FOOD FOR PEACE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from further consideration of H.R. 11846, and that it be laid before the Senate for present consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 11846) to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

The PRESIDING OFFICER. Without objection, the committee is discharged from further consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DIRKSEN. Mr. President, I should like to have the distinguished Senator from South Carolina [Mr. JOHNSTON], who is the Senator in charge of the bill, say something about the last proviso in the bill. The language is rather obscure. It states:

Provided, That no food product purchased pursuant to the authority contained herein shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes.

I believe there are some processors in the trade who are not quite sure what that language means, particularly the first clause. I am sure that it was put in there for a purpose, but there ought to be enough legislative history to point to when the time comes for interpretation of the provision.

Mr. JOHNSTON. Mr. President, the Senator from Illinois is entirely correct when he asks for that information. When the Senator first requested the information, I asked for and received a statement from the Department of Agriculture so that there would be no question in regard to it. I should now like to read to the Senate and for purposes of the RECORD the statement I received:

The proviso in the proposal legislation requiring the food product to constitute at least 50 percent by weight of the grain from which processed does not mean the product purchased by CCC must be 50 percent or more of a particular lot of grain, or that the product must have been processed directly in a continuous process from the grain. Rather, it means that the physical properties of the product are such that it shall constitute 50 percent or more of the weight of the grain in its raw commodity form which is represented in such product. For example, any products such as corn meal, gelatinized corn meal, wheat flour, grits, and bulgur which products constitute more than 50 percent of the weight of the corn or wheat from which processed could be purchased under this authority, whereas, wheat germ mono sodium glutamate and corn oil which products constitute considerably less than 50 percent of the weight of the respective grain kernels could not be purchased thereunder.

I believe that that statement clarifies the point about which the Senator from Illinois inquired.

Mr. DIRKSEN. I think that is sufficient. As my distinguished friend well knows, quite a number of questions have been asked about precisely how that provision would be interpreted. I believe the explanation is adequate.

Mr. JOHNSTON. I did not introduce the bill. The bill was not my bill. I only handled it in the committee and reported it from the committee.

Mr. DIRKSEN. Yes. I believe I ought to make a correction in what I said previously. The chairman of the committee, the Senator from Louisiana [Mr. ELLENDER], sponsored the bill to begin with.

Mr. JOHNSTON. That is correct.

Mr. DIRKSEN. There is a companion House bill. We did get an order to take up the House bill in lieu of the Senate bill.

Mr. JOHNSTON. Yes. The need for the proposed legislation grew out of the fact that since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits have been found to be acceptable and useful forms of grain products for relief distribution.

Mr. DIRKSEN. I believe it would be advisable in connection with the discussion to have printed at this point in the RECORD the statements on the first page of the report indicating the purpose and the need for the proposed legislation.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that those excerpts from the report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to include bulgur, rolled wheat, grits, and other grain food products within the provisions of the act of August 19, 1958. That act provides that when the Commodity Credit Corporation has wheat or corn available for donation to needy persons, in lieu of processing such wheat or corn into flour or cornmeal, it may purchase such flour or meal in quantities equivalent to the amount of grain to be donated and sell an equivalent amount of grain on the open market. The authority provided by this act results in a considerable saving to the CCC over the former procedure of actually moving CCC grain into a processing plant and then taking delivery of and distributing the flour or cornmeal milled from that particular grain.

NEED FOR THE LEGISLATION

Since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits, have been found to be acceptable and useful forms of grain products for relief distribution. These products are now being procured under the old process of actually consigning CCC grain to the mill for processing and receiving back the product. As in the case of flour and cornmeal, a substantial saving may be made by purchasing the product from the processors and selling an equivalent amount of grain on the open market. The bill amends the act of 1958 to make this possible.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 11846) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, in view of the action of the Senate relative to the bill (H.R. 11846), I ask that Calendar No. 1381, Senate bill 2634, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of

1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, earlier the senior Senator from Pennsylvania [Mr. CLARK], who unfortunately had to leave for an appointment downtown, brought out the fact that he had some material available on the apportionment situation in Oklahoma. One of the strongest arguments that was cited by the distinguished Senator from Oklahoma in his very eloquent appeal to the Senate in support of the Dirksen-Mansfield amendment was that the proposed amendment would provide time, and that the legislators need time in order to reapportion. He suggested that the Supreme Court had been too precipitate in requiring action by the legislature.

Mr. President, I have before me a decision of the U.S. District Court for the Western District of Oklahoma in the case of Moss against Burkhart on August 3, 1962, more than 2 years ago, and nearly 2 years before the June 1964 decision of the Supreme Court. The district court in Oklahoma directed a population apportionment. I read from page 3 of the mimeographed copy of the decree:

Those counties having multiple senatorial districts will be districted within themselves. The matter of forming legislative districts, either house or senate, among counties is left to the discretion of the legislature, under the pertinent provisions of the Constitution with respect to substantial numerical equality, compactness, and contiguity.

As I have said, that was August 3, 1962, and the Legislature of Oklahoma was given notice and given time to move ahead. This was not something that has come up suddenly in the past few weeks in Oklahoma in the middle of their election. The legislature was served notice, 2 years ago.

Apportionment had been an issue in Oklahoma frequently, for many years. The record indicates a continuous struggle on the part of those who thought that there should be more equal apportionment; so the action is not something which was insisted upon impulsively in June 1964, by the Supreme Court.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. It is true that in Oklahoma, as in almost all other States, there has been a running discussion between various groups in the State over the question of the apportionment of the State legislature. The proper division between area and population representation, particularly in the upper house, is a question of long standing and almost universality within the various States of the Union.

The fact remains, however, that all this discussion, until the Court's decision of June 15, 1964, and its decision on June 22, 1964 affecting Oklahoma, had not been definitive in any way as to what Oklahoma or any other State was to do.

Our State supreme court twice, on appeals, had ruled that it had no author-

ity to direct the State legislature to reapportion. That very three-judge Federal court in November 1956, ruled, one judge dissenting—and, incidentally, one of the judges is now a court of appeals judge and participated in the most recent decision—that the Federal court had no right to intervene in an apportionment case.

It was not until the decision in 1962, to which the Senator from Wisconsin has referred, that the Federal court took cognizance of jurisdiction in apportionment cases or indicated any legal responsibility or any legal ability to deal with what it might consider malapportionment.

At that time it did not direct any course for the State to follow. In spite of the lower court's ruling, I am sure the Senator from Wisconsin recognizes the statutory right, for any case decided by a three-judge Federal district court to go directly to the Supreme Court on appeal. That appeal was taken after the lower court ruled, following the original Supreme Court decision in *Baker* against *Carr*, and was not decided by the Court until June 22, 1964—this year.

How the distinguished Senator from Wisconsin would approve this kind of action, occurring only a few months ago, and allow the Court not only to void a primary and a runoff election, but to dislocate the efforts of both the constituencies and the candidates who had been elected, and have the cost that went into the campaign for those elections held for naught, on the basis of such a decision as came down after 2 primary elections had been held, I do not know.

Being the liberal he is, I do not see how he feels this is proper consideration for the rights of the States, with respect to elections in progress, about which the Supreme Court itself cautioned when it handed down its decision on June 15, 1964.

Mr. PROXMIRE. If the Senator will yield at that point, to get all the dates in proper order, it was August 1, 1962, that the Federal court directed the legislature of the State of Oklahoma as follows:

The matter of forming legislative districts, either house or senate, from the counties is left to the discretion of the legislature, under the pertinent provisions of the constitution with respect to substantial numerical equality, compactness, and continuity. Five months hence, when the legislature convenes, it must apportion itself in accordance with the constitutional mandate or be judicially reapportioned. We have withheld judicial reapportionment on the solemn word of the intervening legislators that once their constitutional duty is unequivocally and inescapably clear, they will discharge it with befitting honor and fidelity.

Then on July 18, 1963, after the legislature had reconvened, and after it was clear, in the judgment of the Federal court, that the right of a substantially equal vote was not to be afforded Oklahoma citizens, the district court said this:

After a careful consideration of all the exigencies, we have reluctantly decided to reapportion the Oklahoma Legislature by judicial decree because we are convinced—

This was in July 1963—

from all that has transpired in these prolonged proceedings, that the legislature, as now constituted, is either unable or unwilling to reapportion itself in accordance with our concept of the requirements of the equal protection clause of the 14th amendment.

So here we have the Court, in mid-1963, having requested the State legislature to apportion itself 1 year earlier, and having referred the solemn word of the Oklahoma Legislature, being flatly rebuffed.

Ample time was allowed. The Oklahoma Legislature was allowed time to act. It did not act.

It was only after that that the court proceeded and, as I have said, proceeded unwillingly and reluctantly, to decide to go ahead if that right was to be protected.

Then it was decided by the State of Oklahoma—those who wanted to prevent population apportionment—to appeal to the Supreme Court. They decided to delay by appeal of the Federal district court decision. Of course, the Supreme Court had to act on the basis of what was represented to the Court. Then on June 22, 1964, it affirmed the lower court judgment, the judgment of the district court for the western district of Oklahoma.

On the basis of this timing, it seems to me clear that the Court's action was not sudden. It was on 2 years' notice. The legislature knew it was going to take place. There was ample time. It was the initiative of the State of Oklahoma to appeal. The fact that the Oklahoma Legislature was not prepared with the ordered apportionment the Federal Court had directed, it seems to me was the responsibility of the Oklahoma State Legislature, and those who opposed the reapportionment ordered by the Court.

Mr. MONRONEY. I thank the Senator for his study of the case. But I am sure he realizes that the State of Oklahoma, as is true in the State of Wisconsin or any other sovereign State is entitled to appeal from a decision of the Federal district court. There is a specific provision for a direct appeal to the Supreme Court from a decision of a three-judge Federal court. Does the Senator wish to deny the State of Oklahoma the right of appeal? Does he assume that the State of Oklahoma should have tuned in on the thought waves of the Supreme Court as to what it thought was proper apportionment? The State of Oklahoma did what any other State would do, and that was to appeal the decision, which the State thought was in error, to the Supreme Court. This order was stayed by the Supreme Court, and it had no effect until the decision of June 22, 1964. I do not think the Senator would wish his State to have complied with such an order to the Wisconsin Legislature. It was not a request. It was a direction to come forward with a plan of reapportionment or the Federal Court would put in its own. I know of no case in recent history where the Federal courts have dictated to the legislatures; and I have served in the U.S.

Congress for some time. I have never known how a Federal court would go about enforcing such an order. I do not know, even between these two great legislative bodies, how we would go about meeting the ideas of the Court.

Mr. PROXMIRE. If the Senator will yield, if we do not rely on the decisions of the State courts or the U.S. Supreme Court there is no recourse. It is unfortunate that in practically all the States the legislatures reapportion itself. It is common knowledge that this is an extraordinarily difficult thing to do, because of the shift in population. If we are to apportion on any kind of population representation basis it will be painful for the legislature to act. The legislatures have resisted it again and again. It is only with intervention that it can be done.

Mr. MONRONEY. I regret that the Senator did not hear a portion of my speech. One of the moves toward fair apportionment was action by our State legislature in the submission of a constitutional amendment to provide for a reapportionment commission.

In the final analysis, the decision will be made by the State of Oklahoma, not in a Federal courtroom. This is a procedure that even the three-judge court found constitutional.

Mr. PROXMIRE. I see nothing wrong with that.

Mr. MONRONEY. Is that not what the Senator and I have discussed, pointing out that we are just as well apportioned in our upper house—and that is where most of the malapportionment occurs in most States—as is the State of Pennsylvania? The distinguished Senator from Pennsylvania and I discussed this subject on the floor of the Senate, when he referred to the rotten borough system. We have just about the same apportionment as Pennsylvania. Forty-four and a half percent of the people are able to elect a majority. The Senator from Pennsylvania stated that in his State the percentage is 42.4. Therefore, the State of the Senator from Pennsylvania is a little more out of compliance than is the State of Oklahoma. We have moved forward. This is a result of an effort made by the State legislature and the State supreme court, to comply with the order of the Court, which was vague as to the details, only holding up a bright, shiny light toward which we were to move for a better proportion of representation.

The Court order on reapportionment, which was to be put in force in the decision of June 17, 1963, unless the legislature saluted and obeyed and acted quickly, was far different from the recent order of the Court that was made in the State of Oklahoma. Two different districting systems were used.

This later decision was orally pronounced on August 1, if I am correct, not too many days ago. My understanding is—and we checked this point as late as 1 o'clock today—that the three-judge Federal court has yet to complete its final order on how we are to redistrict, at this late date. Yet my friend from Wisconsin expects us to cancel out the

Public Law 88-550
88th Congress, H. R. 11846
August 31, 1964



An Act

78 STAT. 755.

To amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 19, 1958, is amended to read as follows:

"That at any time Commodity Credit Corporation has any grain available for donation pursuant to clause (3) or (4) of section 416 of the Agricultural Act of 1949, as amended, section 210 of the Agricultural Act of 1956, or title II of the Agricultural Trade Development and Assistance Act, as amended, the Corporation, in lieu of processing all or any part of such grain into human food products, may purchase such processed food products in quantities not to exceed the equivalent of the respective grain available for donation on the date of such purchase and donate such processed food products pursuant to clause (3) or (4) of such section 416, and to such section 210, and make such processed food products available to the President pursuant to such title II, and may sell, without regard to the provisions of section 407 of the Agricultural Act of 1949, as amended, a quantity of the grain equivalent to the processed food products so purchased: *Provided*, That no food product purchased pursuant to the authority contained herein shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes."

Approved August 31, 1964.

Agriculture.
Processed food
grain products,
purchase.
72 Stat. 635.
7 USC 1431 note.
7 USC 1431.
7 USC 1859.
7 USC 1721-
1724.
7 USC 1427.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1748 (Comm. on Agriculture).
SENATE REPORT No. 1446 accompanying S. 2634 (Comm. on Agriculture and Forestry).
CONGRESSIONAL RECORD, Vol. 110 (1964):
Aug. 17: Passed House.
Aug. 20: Considered and passed Senate, in lieu of S. 2634.

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